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Crime prevention and criminal justice

International cooperation in the prevention, combating and elimination of kidnapping and in providing assistance to victims

Note by the Secretariat

By its resolution 2004/20 of 21 July 2004, the Economic and Social Council recommended to the General Assembly the adoption of the following draft resolution:

"International cooperation in the prevention, combating and elimination of kidnapping and in providing assistance to victims

"*The General Assembly*,

"*Concerned* at the increase in the practice of kidnapping in various countries of the world and at the harmful effects of that crime on victims and their families, and determined to support measures to assist and protect them and to promote their recovery,

"*Reiterating* that the kidnapping of persons under any circumstances and for any purpose constitutes a serious crime and a violation of individual freedom and undermines human rights,

"*Noting* the transnational nature of organized crime and the tendency of organized criminal groups and terrorist groups to expand their illegal operations,

"*Concerned* at the growing tendency of organized criminal groups and terrorist groups to resort to kidnapping, especially for the purpose of extortion, as a method of accumulating capital with a view to consolidating their criminal operations and undertaking other illegal activities, such as trafficking in firearms and drugs, money-laundering and crimes related to terrorism,

"*Convinced* that the links between various illegal activities, including terrorism, and organized crime pose an additional threat to security and the quality of life, hindering economic and social development,

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"*Convinced also* that the United Nations Convention against Transnational Organized Crime[1] provides the legal framework necessary for international cooperation in the fight against kidnapping,

"*Recalling* Economic and Social Council resolution 2003/28 of 22 July 2003, entitled 'International cooperation in the prevention, combating and elimination of kidnapping and in providing assistance to victims', in which the Council requested the Secretary-General, drawing on extrabudgetary funds or voluntary contributions, to provide technical assistance to States, upon request, to enable them to strengthen their capacity to combat kidnapping, and to submit a progress report on that topic to the Commission on Crime Prevention and Criminal Justice at its thirteenth session,

"1. *Vigorously condemns and rejects once again* the practice of kidnapping, under any circumstances and for any purpose, especially when it is carried out by organized criminal groups and terrorist groups;

"2. *Reiterates* that organized criminal groups and terrorist groups, as well as all perpetrators, are responsible for any harm or death that may result from a kidnapping for which they are responsible, and should be punished accordingly;

"3. *Takes note with appreciation* of the report of the Secretary-General on international cooperation in the prevention, combating and elimination of kidnapping and in providing assistance to victims[2] and of the recommendations presented therein, submitted pursuant to Economic and Social Council resolutions 2002/16 of 24 July 2002 and 2003/28;

"4. *Encourages* Member States to continue to foster international cooperation, especially extradition, mutual legal assistance, collaboration between law enforcement authorities and exchange of information, with a view to preventing, combating and eradicating kidnapping;

"5. *Calls upon* Member States that have not yet done so, in furtherance of the fight against kidnapping, to strengthen their measures against money-laundering and to engage in international cooperation and mutual assistance in, inter alia, the tracing, detection, freezing and confiscation of proceeds of kidnapping in order to combat organized criminal groups and terrorist groups;

"6. *Urges* Member States that have not yet done so to pay special attention to the considerable psychological, social and economic damage associated with kidnapping by adopting legislative, administrative or any other measures to provide appropriate support and assistance to victims and their families;

"7. *Requests* the United Nations Office on Drugs and Crime, subject to the availability of extrabudgetary resources, to prepare a handbook, for use by competent authorities, of proven and promising practices in the fight against kidnapping, including:

(a) Measures to prevent the crime of kidnapping that are directed at potential victims;

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[1] General Assembly resolution 55/25, annex I.

[2] E/CN.15/2004/7 and Add.1.

(b) Preventive measures aimed at disbanding organized criminal groups and terrorist groups;

(c) Cooperation or strategic alliances with the private sector;

(d) Response to and management of crises;

(e) Identification of the minimum elements that would help States to make adjustments to their domestic legislation with a view to having a common understanding of the crime of kidnapping, which would also help to ascertain reliable trends from a global perspective;

(f) Development of specialized measures for providing support and assistance to victims and their families;

(g) Information on national authorities responsible for preventing and combating kidnapping;

(h) Reporting procedures, rescue operations, information systems and prosecutions;

"8. *Also requests* the United Nations Office on Drugs and Crime, subject to the availability of extrabudgetary resources, to provide technical assistance to States, upon request, to enable them to strengthen their capacity to combat kidnapping, including:

(a) Training of judges, prosecutors and other law enforcement officials in mechanisms for disbanding criminal organizations and in the use of special investigative techniques for the rescue of kidnapped persons, bearing in mind the particular need to safeguard and protect the victims;

(b) Review of trends and greater understanding of the problem in order to create a basis for developing policies and strategies against kidnapping."